

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
CRIMINAL NO. 08-67 (PJS)

United States of America,)
)
 Plaintiff,)
)
 v.)
)
 Joseph Van Huebl,)
)
 Defendant.)
 _____)

**DEFENDANT'S
MOTION FOR A
VARIANCE**

The Defendant respectfully moves the Court for a sentencing variance under 18 U.S.C. §3553(a).

This motion is made on all the files and records in the case, the Position of Defendant with Regard to Sentencing Factors, the interests of justice and upon such other and further evidence and argument as may subsequently be presented to the Court.

Respectfully submitted,

Birrell & Newmark, Ltd.

Dated: February 24, 2009

By: s/ Andrew S. Birrell
Andrew S. Birrell (#133760)
Attorney for Defendant
333 South Seventh Street, Suite 3020
Minneapolis, MN 55402
Telephone: (612) 871-7000